

REMARKS

Claims 1-23 are pending in the present application. Reconsideration of the claims is respectfully requested.

I. 35 U.S.C. § 103, Alleged Obviousness, Claims 1-23

The Office Action rejects claims 1-23 under 35 U.S.C. § 103(a) as being unpatentable over Nishio et al. (U.S. Patent No. 6,381,651 B1) and Hashimoto et al. (U.S. Patent No. 5,931,905). Because this rejection is essentially the same as in the previous Office Action, this rejection is respectfully traversed for the same reasons stated in the previous Response filed December 30, 2003, the remarks of which are hereby incorporated by reference. The following remarks are provided in rebuttal to the Examiner's statement in the present Final Office Action beginning on page 7, section 14.

As to claims 1, 13 and 23, the Office Action states:

Nishio disclosed a mail server for initiating database synchronization with a client on a mobile computing device (col. 17, lines 1-6), comprising: a mail server copy of a user mailbox, wherein a copy of said user mailbox also exists on the client; means for receiving a message for said user at the mail server; means for storing the message in said user mailbox on the mail server (col. 11, lines 7-21); means, responsive to receipt of said message at the mail server, for initiating a link between the mail server and the client; and means for transmitting synchronization updates to the client in order to synchronize the client copy of said mailbox with the mail server copy, such that said message is added to the client copy of the mailbox and means for transmitting synchronization updates to the client in order to synchronize the client copy of said mailbox with the mail server copy, such that said message is added to the client copy of the mailbox (col. 17, lines 38-54).

However Nishio did not disclose in details means, responsive to receipt of said message at the mail server, for initiating a link between the mail server and the client. Wherein the step of initiating the link comprises: creating a first trigger messaging to a message server, at the message server, transmitting a second trigger message to the client using a first protocol responsive to receipt of the first trigger message, at the client initiating a mail box synchronize request to the mail server using a second protocol in response to the receipt of the second trigger message; and wherein the method further comprises synchronizing the client copy of said mailbox with the mail server copy using the second protocol.

In the same field of endeavor Hashimoto disclosed a plurality of local mail servers to which the televisions are connected through communication lines in each predetermined area and which are connected to one another on a network; and a center mail server to which the local servers are connected through the communication lines, is characterized in that television has a mail sending function which makes mail including at least destination information and the body of the mail to output the mail data to the local mail server, and a mail to output the mail data to the local mail server, and a mail receiving function (col. 3, lines 3-11). Hashimoto also disclosed mail boxes of the receivers are dispersed to local response servers so that the load for the center response server is dispersed and reduced. Since the mail routing program is provided with the function of converting the communication protocol to convert the protocol to another mail, mutual connection with the other mail can be performed (col. 16, lines 31-39). The mail transfer program takes out the received mail from the mail box indicated with the receiver ID to make mail data. Mail data is forwarded to the program controller of the interactive television. Data communication is performed by using the communication controllers (col. 16, lines 13-19).

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to have incorporated a plurality of local mail servers to which the televisions are connected through communication lines in each predetermined area and which are connected to one another on a network; and a center mail server to which the local servers are connected through the communication lines, is characterized in that television has a mail sending function which makes mail including at least destination information and the body of the mail to output the mail data to the local mail server, and a mail to output the mail data to the local mail server, and a mail receiving function. Mail boxes of the receivers are dispersed to local response servers so that the load for the center response server is dispersed and reduced. Since the mail routing program is provided with the function of converting the communication protocol to convert the protocol to another mail, mutual connection with the other mail can be performed (col. 16, lines 31-39). The mail transfer program takes out the received mail from the mail box indicated with the receiver ID to make mail data. Mail data is forwarded to the program controller of the interactive television. Data communication is performed by using the communication controllers in the method of Nishio to reduce the cost of delivering Email to the users and reduce latency in the terms of Email transfer and updates.

Office Action dated March 10, 2004, pages 2-4.

Claim 13, which is representative of the other rejected independent claims 1 and 23 with respect to similarly recited subject matter, reads as follows:

13. A mail server for initiating database synchronisation with a client on a mobile computing device, comprising:

a mail server copy of a user mailbox, wherein a copy of said user mailbox also exists on the client;

means for receiving a message for said user at the mail server;

means for storing the message in said user mailbox on the mail server;

means, responsive to receipt of said message at the mail server, for initiating a link between the mail server and the client; and

means for transmitting synchronisation updates to the client in order to synchronise the client copy of said mailbox with the mail server copy, such that said message is added to the client copy of the mailbox, wherein the step of initiating the link comprises:

creating a first trigger message,

transmitting said trigger message to a message server,

at the message server, transmitting a second trigger message to the client using a first protocol responsive to receipt of the first trigger message,

at the client, initiating a mail box synchronise request to the mail server using a second protocol in response to the receipt of the second trigger message; and wherein the method further comprises synchronising the client copy of said mailbox with the mail server copy using the second protocol.

In the December 30, 2003 response, Applicant argued that Nishio and Hashimoto, taken alone or in combination, fail to teach or fairly suggest a mail server copy of a user mailbox, wherein a copy of said user mailbox also exists on the client. More specifically, Nishio and Hashimoto merely transmit email messages from servers to devices. The Final Office Action alleges that this feature is taught by Nishio at column 11, lines 7-21, which reads as follows:

Basically, pieces of individual delivery information having the same information identifier are combined into single informing E-mail. This is because if informing E-mail were formed for each individual delivery information, many pieces of informing E-mail having the same purpose of informing a user of the new establishment of a home page would be transmitted to the user.

Looking at the summary information that is described in the body of the informing E-mail that comes in the above manner, the user of the user terminal 1 requests the home page corresponding to the summary information by manipulating the user terminal 1 if he wants it. Specifically, for example, he inputs the URL that is the information

identifier described in the informing E-mail together with the summary information and transmits it from the user terminal 1 to the SP server 3 via the public network 2.

There is nothing in this section, or any other section of Nishio, that teaches or suggests a copy of a user mailbox on a mail server and a copy of the same user mailbox on a client. Nishio merely teaches a system where new home pages are transmitted to a user when an information provider transmits a new home page or a new home page is registered in an IP server. The Nishio system then delivers the new home page to the user using the user personal information provided during registration. To deliver the new home page, an individual delivery information construction process is executed where Nishio determines summary information that should also be sent to a user in addition to the new home page and then sends an email to the user. Finally, as described in the section cited by the Examiner, the email is constructed using personal information, email address, provided by the user and the individual delivery information. Then the user selects a home page from the information that is transmitted in the email. The only information retained by the Nishio system is the personal information, which is described in column 7, lines 13-16, as name, email, date of birth, gender and hobbies; and history information, which is described in column 3, lines 54-56 as a history of home pages that are requested by the user. Thus, Nishio fails to teach or suggest the primary aspect of the instant claims which is a copy of a user mailbox on a mail server and a copy of the same user mailbox on a client.

Hashimoto does not provide for the deficiencies of Nishio. That is Hashimoto does not teach or suggest a mail server copy of a user mailbox, wherein a copy of said user mailbox also exists on the client. Hashimoto provides a system where a user can send and receive email through a TV mail system. While Hashimoto teaches a mail server to retain the mail information of the user, there is no copy of the user mailbox on the user's TV system. In fact the only storage of information on the user's TV system is in element 15, which is described at column 9, lines 2-6, as fixed information required for the interactive television to provide TV mail service. There is no user mailbox on a client which is a copy of the user mailbox on the server. Hashimoto stores email in element 37, which is on the server. Thus, Nishio and Hashimoto, taken alone or in combination fail

to teach or suggest a mail server copy of a user mailbox, wherein a copy of said user mailbox also exists on the client.

Furthermore, in the December 30, 2003 response, Applicant argued that Nishio and Hashimoto, taken alone or in combination, fail to teach or fairly suggest at the client, initiating a mail box synchronise request to the mail server using a second protocol in response to the receipt of the second trigger message; and wherein the method further comprises synchronising the client copy of said mailbox with the mail server copy using the second protocol. In response, the Examiner on pages 7-8 of the Final Office Action states the following:

Applicant argued that prior art did not disclose the use of a simple first protocol from a server to trigger a mobile device that an email is present, followed by a request using a more powerful second protocol from the device to the server to the request the transmission of the email from the server to the device using the second protocol.

As to applicant's argument Hashimoto disclosed mail boxes of the receivers are dispersed to local response servers so that the load for the center response server is dispersed and reduced. Since the mail routing program is provided with the function of converting the communication protocol to convert the protocol to another mail, mutual connection with the other mail can be performed (col. 16, lines 31-39). The mail transfer program takes out the received mail from the mail box indicated with the receiver ID to make mail data. Mail data is forwarded to the program controller of the interactive television. Data communication is performed by using the communication controllers (col. 16, lines 13-19). One ordinary skill in the art at the time of the invention can interpret the second protocol as a transfer protocol and the first protocol as communication protocol.

Applicant respectfully disagrees that Nishio or Hashimoto, taken alone or in combination, fairly teach or suggest at the client, initiating a mail box synchronise request to the mail server using a second protocol in response to the receipt of the second trigger message; and wherein the method further comprises synchronising the client copy of said mailbox with the mail server copy using the second protocol. The Examiner admits that Nishio does not teach this feature. The cited section of Hashimoto refers to email sent to a user that is stored in element 29, which is storage of the user's email on the local response server. When an email is selected to be read by the user, the email is transferred from the user's mail box to the program controller, which allows the user to view the email stored

on the local response server and read the email on a mail receiving screen. The program controller element is not a storage device, but rather a program for reading or composing an email. As shown above, the only information stored on the interactive TV is fixed information required for the interactive television to provide TV mail service.

Thus, the combination of Nishio and Hashimoto would not result in the presently claimed invention. One of ordinary skill in the art, being presented only with Nishio and Hashimoto, and without having prior knowledge of Applicants' claimed invention, would not have found it obvious to combine and modify Nishio and Hashimoto to arrive at Applicants' claimed invention. To the contrary, even if one were somehow motivated to combine Nishio and Hashimoto, and it were somehow possible to combine the two systems, the result would not be the invention recited in claim 13. The result would be a process automatically sends out new home page information to a user and storing it on a mail server.

In view of the above, Applicant respectfully submits that Nishio and Hashimoto, taken alone or in combination, fail to teach or suggest all of the features of claim 13, or the similar features found in independent claims 1 and 23. At least by virtue of their dependency on claims 1, 13 and 23, Nishio and Hashimoto, taken alone or in combination, fail to teach or suggest the features of dependent claims 2-12 and 14-22. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 1-23 under 35 U.S.C. § 103(a).

Moreover, in addition to their dependency from independent claims 1, 13 and 23, respectively, Nishio and Hashimoto do not teach or suggest the specific features recited in dependent claims 2-12 and 14-22. For example, with regard to claims 4 and 16, the combination of Nishio and Hashimoto does not teach or suggest creating the first trigger message, said first trigger message comprising the remote device id, transmitting said first trigger message to the message server, and responsive to receipt of said first trigger message at the message server, initiating said link between the mail server and the client in order to perform said synchronisation, which is synchronising the client copy of said mailbox with the mail server copy using the second protocol. The Office Action alleges that Hashimoto teaches this feature. As shown above, Hashimoto does not teach a copy

of a mailbox on the client system; thus, Hashimoto does not teach or suggest initiating said link between the mail server and the client in order to perform said synchronisation.

As an additional example, with regard to claims 8 and 19, the combination of Nishio and Hashimoto does not teach or suggest a second trigger message is an SMS text message. The Final Office Action alleges that this feature is taught by Nishio at column 12, lines 2-12, which reads as follows:

On the other hand, if it is judged at step S32 that the information body is not a URL, that is, if the home page that is requested by the user is one stored in and managed by the ID server 6, i.e., stored in the delivery information storing section 13, the process goes to step S34. At step S34, the readout section 19 reads out, from the delivery information storing section 13, data (HTML file) of the home page as the information body that was referenced at step S34. The process then goes to step S35.

In this section, Nishio is merely describing URLs in the body of the email message sent to the user and the HTML data of the home page as the information body. There is nothing in this section, or any other section of Hashimoto, that describes a trigger message that is an SMS message, which is a short alphanumeric message.

As a further example, with regard to claims 11 and 21, the combination of Nishio and Hashimoto does not teach or suggest logging when synchronisation was last performed and responsive to receipt of a new message for the user at the mail server, waiting a predetermined amount of time after said synchronisation was last performed before performing synchronisation again. The Final Office Action alleges that Nishio teaches this feature at column 17, lines 38-56, which reads as follows:

As described above, since informing E-mail for a home page that has newly occurred on the Internet 4 and suits the favorites of respective users is generated and delivered to the respective users, the users can easily acquire information that suits their favorites (i.e., information they require). Further, since history information of home pages accessed by a user is stored by utilizing informing E-mail and the personal favorites information is updated based on the history information, it is possible to inform the user of new establishment of a home page that suits his favorites, whereby the user can be provided with, so to speak, efficient information.

Since the informing E-mail includes not a home page itself but its summary information, it is possible to avoid a case that the amount of information included in the informing E-mail becomes enormous.

Further, from the viewpoint of a home page information provider, since an age group of users whom the information provider wants to view the home page and genres of interest of those users are registered as favorites information, it is possible to have those users recognize the existence of the home page.

This section of Nishio merely teaches that an informing email includes homepages that suit the favorites of the user and that the email includes a summary of the favorites so as to avoid enormous emails. As shown above, Nishio and Hashimoto, taken alone or in combination, fail to teach or fairly suggest a user mailbox on a server and a copy of the same user mailbox on a client and a synchronising the client copy of the user mailbox with the mail server copy of the user mailbox. Thus, neither Nishio nor Hashimoto, taken alone or in combination, fairly teaches or suggests logging when synchronisation was last performed and responsive to receipt of a new message for the user at the mail server, waiting a predetermined amount of time after said synchronisation was last performed before performing synchronisation again.

Therefore, in addition to being dependent on independent claims 1 and 13, dependent claims 2-12 and 14-22 are also distinguishable over Nishio and Hashimoto by virtue of the specific features recited in these claims. Accordingly, Applicant respectfully requests withdrawal of the rejection of dependent claims 2-12 and 14-22 under 35 U.S.C. § 103(a).

II. Conclusion

It is respectfully urged that the subject application is patentable over the prior art of record and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

Respectfully submitted,

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